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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*Probation Form 49, Waiver of Hearing is Attached*

November 9, 2016

Name of Offender: **DAVID ANTONIO ALLEN**

Docket Number: 1:11:CR:188-01

Name of Sentencing Judicial Officer: The Honorable Janet T. Neff  
U.S. District Judge

Date of Original Sentence: December 19, 2011

Original Offense: Possession with Intent to Distribute 28 Grams or More of Cocaine Base; 21  
U.S.C. § 841(a)(1) and (b)(1)(B)(iii)

Original Sentence: 60 months custody; 4 years supervised release. Special conditions: (1) access  
to financial information; (2) testing and treatment for substance abuse; (3) no  
alcohol; (4) full time employment or weekly community service; (5) high  
school diploma or GED. Special assessment, \$100.00 (paid in full).

**July 13, 2016:** Report on Offender: notify the Court of admitted alcohol use.  
Substance abuse testing was increased and a Courage to Change interactive  
journal completed. Your Honor agreed with recommendation for no court  
action.

Type of Supervision: Supervised Release

Date Supervision Commenced: October 21, 2015

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**PETITIONING THE COURT**

**[x] To add Special Condition Number 6 to read as follows:**

6. The defendant/offender shall be monitored by a form of location monitoring technology at the discretion of the probation officer for a period of 30 days and shall abide by all technology requirements. The participant shall pay all or part of the costs of participation in the location monitoring program as directed by the probation officer.

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of Supervision with Consent of the Offender

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The form of location monitoring technology shall be utilized to monitor the following restriction on the defendant/offender's movement in the community as well as other court-imposed conditions of release:

( ) Curfew: You are restricted to your residence every day  
[ ] from \_\_\_\_\_ to \_\_\_\_\_ a.m., or [ ] as directed by the probation officer.

(X) Home Detention: You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court ordered obligation; or other activities as pre-approved by the probation officer.

( ) Home Incarceration: You are restricted to your residence at all times except for medial necessities and court appearances or other activities specifically approved by the Court.

### CAUSE

On October 26, 2016, Mr. Allen pled guilty to Driving While License Suspended. He was sentenced by the 61<sup>st</sup> District Court, Grand Rapids, Case No. 2016-OT-0004682, to a \$450.00 fine.

Mr. Allen was admonished for his new criminal conduct and he agreed to have his conditions modified to include 30 days location monitoring. Mr. Allen appeared remorseful and appreciative for a chance to remain in the community. He also reported the incident and court proceedings to this officer.

Your Honor, it is respectfully recommended special condition number 6 be added and no further court action is necessary at this time.

Respectfully Submitted:

/s/ Amy L. Vander Velde  
Amy L. Vander Velde  
U.S. Probation Officer Specialist  
616-456-2896

Reviewed and Approved: /s/ Richard C. Griffis  
Richard C. Griffis  
Supervising U.S. Probation Officer  
616-456-2352

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**THE COURT ORDERS:**

☐ No Action  
☒ The Modification of Conditions as Noted Above  
☐ Other

/s/ Janet T. Neff  
The Honorable Janet T. Neff  
U.S. District Judge

November 10, 2016  
Date

PROB 49

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT**  
**for the**  
**WESTERN DISTRICT OF MICHIGAN**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To add Special Condition Number 6 to read as follows:

6. **The defendant/offender shall be monitored by a form of location monitoring technology at the discretion of the probation officer for a period of 30 days and shall abide by all technology requirements. The participant shall pay all or part of the costs of participation in the location monitoring program as directed by the probation officer.**

The form of location monitoring technology shall be utilized to monitor the following restriction on the defendant/offender's movement in the community as well as other court-imposed conditions of release:

- ( ) Curfew: You are restricted to your residence every day  
[ ] from \_\_\_\_\_ to \_\_\_\_\_ a.m., or [ ] as directed by the probation officer.
- ( x ) **Home Detention:** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court ordered obligation; or other activities as pre-approved by the probation officer.
- ( ) Home Incarceration: You are restricted to your residence at all times except for medical necessities and court appearances or other activities specifically approved by the Court.

Witness: [Signature]  
U.S. Probation Officer

Signed: [Signature]  
Probationer or Supervised Releasee

11/3/16  
DATE